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07/04

The Alabama Licensure Board for Interpreters & Translators

NOTICE OF INTENDED ACTION

AGENCY NAME:

The Alabama Licensure Board for Interpreters & Translators

RULE NO. & TITLE:

488-X-1-.09 – Deaf Interpreter & Transliterator Exemption Request
488-X-1-.10 – Deaf Interpreter & Transliterator Exemption Renewal
488-X-1-.11 – Exemptions

INTENDED ACTION:

To repeal Rules and Regulations.

SUBSTANCE OF PROPOSED ACTION:

The Alabama Licensure Board for Interpreters & Translators proposes to repeal some of its Administrative Code or Rules and Regulations.

TIME, PLACE, MANNER OF PRESENTING VIEWS:

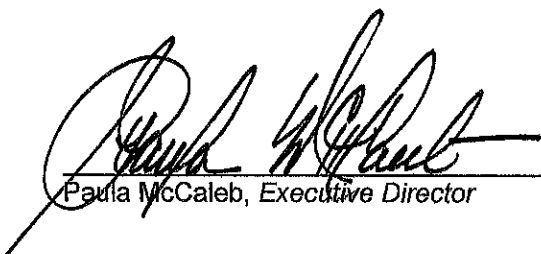
Written comments, views, or arguments will be received by the Alabama Board for Interpreters & Translators until 4:30 p.m. on April 4, 2016. Comments should be directed to Melvin Walker, Board Chairman at Post Office Box 240187, Montgomery, AL 36124.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

April 4, 2016

CONTACT PERSON AT AGENCY:

Melvin Walker, Chairman
334.277-8881


Paula McCaleb, Executive Director

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TRANSMITTAL SHEET FOR
NOTICE OF INTENDED ACTION

Control No. _____ Department or Agency The Licensure Board For Interpreters and Translators
Rule No. 488-X-1-.09
Rule Title: Deaf Interpreter & Transliterator Exemption Request
_____ New _____ Amend X _____ Repeal _____ Adopt by Reference

Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety? Yes

Is there a reasonable relationship between the state's police power and the protection of the public health, safety, or welfare? Yes

Is there another, less restrictive method of regulation available that could adequately protect the public? No

Does the proposed rule have the effect of directly or indirectly increasing the costs of any goods or services involved and, if so, to what degree? No

Is the increase in cost, if any, more harmful to the public than the harm that might result from the absence of the proposed rule? No

Are all facets of the rulemaking process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public? Yes

Does the proposed rule have an economic impact? No

If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fiscal note prepared in accordance with subsection (f) of Section 41-22-23, Code of Alabama 1975.

Certification of Authorized Official

I certify that the attached proposed rule has been proposed in full compliance with the requirements of Chapter 22, Title 41, Code of Alabama 1975, and that it conforms to all applicable filing requirements of the Administrative Procedure Division of the Legislative Reference Service.

Signature of certifying officer _____

Date: February 5, 2016

~~488-X-1-.09 — Deaf Interpreter & Transliterators Exemption Request.~~

~~(1) A Deaf Interpreter and Transliterators Permit will be issued only to a person who is deaf. A Deaf Interpreter Permit may be obtained by submitting the following:~~

- ~~(a) Application for the Deaf Interpreter Permit,~~
- ~~(b) One of the following:~~
 - ~~(i) GED, High School Diploma or Certified transcripts or~~
 - ~~(ii) College diploma or college-certified transcripts~~
- ~~(c) Documentation from a licensed audiologist stating that you are legally deaf, according to Federal Government Standards.~~
- ~~(d) Proof of Citizenship and~~
- ~~(e) Proof of Citizenship form.~~

~~(2) Beginning March, 15, 2016, anyone applying for a deaf Interpreter and Transliterators exemption will be required to have proof of 2.0 continuing education points prior to applying.~~

Author: The Alabama Board of Interpreter and Transliterators

Statutory Authority: Code of Ala. 1975, §34-16-7(4).

Filed: September 17, 2015 **Effective Date:** October 22, 2015

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TRANSMITTAL SHEET FOR
NOTICE OF INTENDED ACTION

Control No. _____ Department or Agency The Licensure Board For Interpreters and Translators
Rule No. 488-X-1-.10
Rule Title: Deaf Interpreter & Transliterator Exemption Renewal
_____ New _____ Amend X Repeal _____ Adopt by Reference

Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety? Yes

Is there a reasonable relationship between the state's police power and the protection of the public health, safety, or welfare? Yes

Is there another, less restrictive method of regulation available that could adequately protect the public? No

Does the proposed rule have the effect of directly or indirectly increasing the costs of any goods or services involved and, if so, to what degree? No

Is the increase in cost, if any, more harmful to the public than the harm that might result from the absence of the proposed rule? No

Are all facets of the rulemaking process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public? Yes

Does the proposed rule have an economic impact? No

If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fiscal note prepared in accordance with subsection (f) of Section 41-22-23, Code of Alabama 1975.

Certification of Authorized Official

I certify that the attached proposed rule has been proposed in full compliance with the requirements of Chapter 22, Title 41, Code of Alabama 1975, and that it conforms to all applicable filing requirements of the Administrative Procedure Division of the Legislative Reference Service.

Signature of certifying officer 

Date: February 5, 2016

~~488-X-1.10 — Deaf Interpreter & Transliterator Exemption Renewal.~~

~~(1) A Deaf Interpreter and Transliterator Permit shall expire annually on March 15th. In order to renew the permit, the permit holder must: —~~

~~(a) Prior to March 15th of each year, submit an application for Deaf Interpreter and Transliterator's Permit Renewal, and~~

~~(b) Provide documentation of earning 2.0, board-approved CEUs within the previous twelve (12) month cycle ending March 15th of year of application.~~

~~Author:~~ The Alabama Board of Interpreter and Transliterator's

~~Statutory Authority:~~ Code of Ala. 1975, §34-16-7(4).

~~Filed:~~ September 17, 2015 **~~Effective Date:~~** October 22, 2015

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07/04

TRANSMITTAL SHEET FOR
NOTICE OF INTENDED ACTION

Control No. _____ Department or Agency The Licensure Board For Interpreters and Translators
Rule No. 488-X-1-.11
Rule Title: Exemptions
_____ New _____ Amend X _____ Repeal _____ Adopt by Reference

Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety? Yes

Is there a reasonable relationship between the state's police power and the protection of the public health, safety, or welfare? Yes

Is there another, less restrictive method of regulation available that could adequately protect the public? No

Does the proposed rule have the effect of directly or indirectly increasing the costs of any goods or services involved and, if so, to what degree? No

Is the increase in cost, if any, more harmful to the public than the harm that might result from the absence of the proposed rule? No

Are all facets of the rulemaking process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public? Yes

Does the proposed rule have an economic impact? No

If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fiscal note prepared in accordance with subsection (f) of Section 41-22-23, Code of Alabama 1975.

Certification of Authorized Official

I certify that the attached proposed rule has been proposed in full compliance with the requirements of Chapter 22, Title 41, Code of Alabama 1975, and that it conforms to all applicable filing requirements of the Administrative Procedure Division of the Legislative Reference Service.

Signature of certifying officer _____

Date: February 5, 2016

488-X-1-11 Exemptions.

The following persons shall be exempt from licensure or permitting:

- (1) Any student who is enrolled in a formal American sign language program, a formal interpreter training program, or a formal interpreter or transliterator internship program. The student shall be allowed to interpret or transliterate as part of his or her training for a maximum of 16 weeks in an educational setting or 120 hours in an agency or business.
- (2) Any person who interprets or transliterates solely in a church, synagogue, temple or other religious setting.
- (3) Any person residing outside of the State of Alabama may provide interpreting and transliterating services for up to 14 days per calendar year without a license.
- (4) Any person desiring to interpret for remuneration where circumstances do not allow for fulfillment of the stated requirements for licensure or permitting may petition the board for exemption status.
- (5) Those public education personnel and State Department of Rehabilitation personnel, who are not hired as interpreters and transliterators and who are not as a part of their job description responsible for providing interpreting or transliteration services, in circumstances that may necessitate their function as interpreters and transliterators in emergency or incidental situations.
- (6) All other public education personnel hired prior to March 15, 2000, who provide interpreting and transliterating services to students. These personnel shall apply for and receive a permit specifying that their permits are restricted to interpreting and transliteration services provided in the public education setting only. The application for this permit shall be submitted to the board prior to October 1, 2000. It shall be the responsibility of the permit holder to annually renew the permit by earning continuing education units in compliance with the requirements of the interpreters and transliterators licensure law. If personnel, who have been grandfathered in pursuant to this subdivision, for any reasons should allow their permits to lapse or expire, those personnel shall lose all privileges of this exemption and shall adhere to all requirements of the interpreters and transliterators licensure law to renew their permits.

Author: The Alabama Board of Interpreter and Transliterator

Statutory Authority: Code of Ala. 1975, §34-16-7(4).

Filed: September 17, 2015 **Effective Date:** October 22, 2015